

## ELECTIONS DEPARTMENT

The 1st August, 1981

No. Elec-81/R-5277.—The following decision of the Governor of Haryana is published for general information :—

In exercise of the powers conferred by clause (i) of Article 192 of the Constitution of India and in accordance with the opinion of the Election Commission of India set out in appendix hereto, the Governor of Haryana is pleased to dismiss the petitions dated 4th April, 1980, 11th April, 1980 and 14th April, 1980, of Shri Hurmat Khan and others, residents of Gurgaon district in which it was prayed that assent to the Haryana State Legislature (Prevention of Disqualification) Amendment Ordinance, 1980 may be withheld.

## APPENDIX

## OPINION

This is a reference from the Governor of Haryana seeking opinion of the Commission under article 192(2) of the Constitution on the question of alleged disqualification of certain sitting members of Haryana Legislative Assembly under article 191(1)(a) of the Constitution for holding offices of profit under the Government of Haryana.

The above question was raised before the Governor of Haryana in terms of article 192(1) of the Constitution by one Shri Hurmat Khan and others, residents of Gurgaon district, through their Counsel Shri Balwant Singh Malik. Shri Malik submitted 3 petitions dated the 4th April, 1980, 11th April, 1980 and 14th April, 1980 in this regard to the Governor of Haryana. It was alleged in those petitions that a large number of sitting members of the Haryana Legislative Assembly had become subject to disqualification under article 191(1)(a) of the Constitution for holding various offices of profit under the Government of Haryana. In his 2nd petition dated the 11th April, 1980, the names of the following 24 such M.L.As were mentioned :—

Name of the Member	Office held
1. Shri Gaya Lal	.. Chairman, Marketing Board
2. Shri Swami Aditya Vesh	.. Chairman, Agro-Industries Corporation
3. Shri Des Raj	.. Chairman, Warehousing Corporation
4. Shri Peer Chand	.. Chairman, HAFED
5. Capt. Mange Ram	.. Chairman, Haryana State Cooperative Bank
6. Shri Ishwar Singh	.. Chairman, Housing Board and earlier Chairman, Education Board
7. Shri Jogi Ram	.. Chairman, Small Scale Industries and Export Corporation
8. Shri Shakurala	.. Chairman, Haryana State Co-operative Union
9. Shri Fateh Chand Vij	.. Chairman, Handloom Corporation
10. Shri K. L. Poswal	.. Chairman, Tourism Corporation
11. Shri Zile Singh	.. Chairman, Haryana State Consumers Federation
12. Shri Udey Singh Dalal	.. Chairman, Haryana State Co-operative Bank, Chandigarh
13. Shri Jai Narain Verma	.. Chairman, Haryana Khadi Board
14. Shri Devi Dass	.. Chairman, Haryana State Handloom and Handicraft Corporation
15. Shri Pratap Singh Thakran	.. Chairman, Haryana Agricultural Marketing Board

Name of the Member	Office held
16. Shri Lal Singh	.. Chairman, Haryana Land Reclamation and Development Corporation
17. Shri Rajinder Singh	.. Chairman, State Minor Irrigation (Tubewells) Corporation Ltd.
18. Shri Har Sarup Bura	.. Chairman, Haryana Federation of Co-operative Sugar Mills
19. Shri Kanwar Ram Pal	.. Chairman, State Minor Irrigation (Tubewells) Corporation Ltd.
20. Shri Ram Kishan (Bairagi)	.. Chairman, Housing Board
21. Shri Sant Kanwar	.. Chairman, Haryana Agro-Industries Corporation Ltd.
22. Shri Surinder Singh Aujla	} Chief Parliamentary Secretaries
23. Shri Jagan Nath	
24. Smt. Shanti Rathce	

It was further contended that apart from the abovementioned M.L.As., certain other M.L.As. were also holding offices of profit. It was alleged that all these M.L.As. had been appointed to the offices of profit by the Chief Minister to obtain their support for his political survival and it was apprehended by the petitioners that the Chief Minister proposed to amend the law by way of an Ordinance with a view to removing the disqualification of the above M.L.As. retrospectively. In fact, the first two petitions referred to the issue of impending Ordinance and were in the nature of an appeal to the Governor to withhold his assent to the Ordinance. Only in the 3rd petition dated the 14th April, 1980, a specific prayer was made that the case of the abovementioned M.L.As. should be referred to by the Governor to the Election Commission for obtaining its opinion under article 192(2) of the Constitution.

The aforesaid petitions were forwarded by the Governor of Haryana to the Commission for its opinion in the matter on 25th April, 1980. However, as apprehended by the petitioners, before forwarding these petitions Governor had already issued on the 17th April, 1980 an Ordinance viz. the Haryana State Legislature (Prevention of Disqualification) Amendment Ordinance, 1980 (Haryana Ordinance 1 of 1980), whereby certain amendments were made with retrospective effect to the Haryana State Legislature (Prevention of Disqualification) Act, 1974 (41 of 1974). Section 3 of the Haryana State Legislature (Prevention of Disqualification) Act, 1974 provides that none of the offices mentioned therein, in so far as it is an office of profit under the Government of India or the Government of the State of Haryana, shall disqualify the holder thereof for being chosen as, or being, a Member of the Legislature of the State of Haryana. By the said Ordinance, *inter alia*, clause (e) of sub-section (1) of section 3 of the parent Act of 1974 was amended as follows and it was deemed to have always been so amended :—

“(e) Chairman, Director or Member of any statutory or non-statutory body appointed or constituted by the State Government or the Union Government whether he is, or is not, in receipt of any remuneration including compensatory allowance during the performance of his duties”.

The above Ordinance which was subsequently replaced by Haryana Act No. 24 of 1980 in July, 1980 had the effect of making the petitions virtually infructuous. In view of the above significant change in the legal position, the Commission before proceeding to enquire into the matter desired to know from the petitioners whether they still wished to agitate the matter raised by them in their aforesaid petitions. Even otherwise, the petitions did not contain concise statements of material facts on which the petitioners relied in support of the allegations. Even the names of all the MLAs who were alleged to have become subject to disqualification were not specifically mentioned; nor did the petitions show from which date or dates those MLAs were holding offices of profit to indicate whether such appointments were made before or after their elections as MLAs and in what manner those offices were offices of profit under the Government of Haryana or the like. Accordingly, Shri Balwant Singh Malik was asked by the Commission in its letter dated the 16th August, 1980 to furnish full information on the above points. In his letter dated the 28th August, 1980 he prayed for time of one month to furnish those particulars and the prayer was granted by the Commission. Shri Malik thereafter did not correspond any further in the matter. However, he filed two separate petitions on similar grounds relating to alleged disqualification of two other sitting MLAs, namely, Shri Shatrulla Khan and Shri Sardar Khan.

When the enquiry by the Commission into the cases of S/Shri Shakrulla Khan and Sardar Khan was in progress, the law on the point was subjected to further change by way of promulgation of another Ordinance. On 22nd January, 1981, the Governor of Haryana issued the Haryana State Legislative (Prevention of Disqualification) Amendment Ordinance, 1981 (Haryana Ordinance No. 2 of 1981) whereby the above quoted clause (e) of sub-section (1) of section 3 of the parent Act of 1974 was further amended. By that Ordinance, the following new clause has been substituted and it is deemed to have always been so substituted:

“(e) Chairman, Vice-Chairman, President, Vice-President, Director or Member whether elected, nominated or appointed either by the Union Government or State Government or any of its officers, of any statutory or non-statutory body, whether he is or is not, in receipt of any remuneration including compensatory allowance, during the performance of his duties.”

The above Ordinance has been replaced by the Haryana State Legislature (Prevention of Disqualification) Amendment Act, 1981 (No. 4 of 1981).

Thus the disqualification, if any, incurred by the MLAs mentioned at S. No. 1 to 21 at pages 2 and 3 and based on the materials contained in the petitions has been removed retrospectively, as the offices held by them are covered under the abovementioned provisions of section 3 (1)(e) of the 1974 Act as amended.

In so far as the MLAs mentioned at Sr. No. 22 to 24 are concerned, clause (f) of the said section 3(1) of 1974 Act already provided that Parliamentary Secretaries or Parliamentary Under Secretaries shall not be disqualified for being a Member of Haryana Legislative Assembly. There cannot be any doubt that the Chief Parliamentary Secretaries are also covered under that provisions.

Having regard to the above legal position, I am of opinion and accordingly hold that the petitions under reference have become infructuous and the same be, and are hereby, returned to the Governor of Haryana with my opinion to the above effect.

NEW DELHI :  
Dated 21st May 1981.

S. L. SHAKDHER,  
Chief Election Commissioner of India.

Dated Chandigarh,  
the

ISHWAR CHANDRA,  
Secretary to Government, Haryana,  
Elections Department.

#### TOWN AND COUNTRY PLANNING DEPARTMENT

The 15th July, 1981

No. 10DP-81/10724.—In exercise of the powers conferred by sub-section (4) of section 5 of the Punjab Scheduled Roads and Controlled Area Restriction of Un-regulated Development Act, 1963, the Governor of Haryana is pleased to publish the draft Development Plan along with the restrictions and conditions proposed to be made applicable to controlled Area covered by it (given in the Annexures A & B to the Development Plan) at Narnaul approved under sub-section (3) of the section for the information of all persons likely to be affected thereby;

Notice is hereby given that the draft of the plan shall be taken into consideration by the Government on or after the expiry of thirty days from the date of publication of this notification in the official gazette together with any objection or suggestion which may be received by the Director, Town and Country Planning Department, Haryana, Sector 18, Chandigarh from any person in writing in respect of such plan before the expiry of the period so specified.

#### DRAWING

- (i) Existing Land Use Plan No. RTP(R)/707/76, dated 25th November, 1976.
- (ii) Proposed Land Use Plan Drg. No. DTP(BG) 59/81, dated 5th March, 1981.

#### ANNEXURE A

#### EXPLANATORY NOTE ON THE DRAFT DEVELOPMENT PLAN OF CONTROLLED AREA NARNAUL

The trend of urbanisation and industrial growth shows signs of overall growth in urban population. The development of cities and towns is taking place in an haphazard and unplanned manner calling for orderly, systematic and co-ordinated development approach. In order to avoid the slumy and haphazard growth of the town, controlled area around I.T.I. in Narnaul was declared on October 15, 1976.

Narnaul Town lies in the extreme south of the State and is situated at a distance of 144 Kms. south-west of Delhi and is well connected by rail and road. Its nearest neighbouring towns are Rewari, 54 Kms. to the east, Mohendergarh and Dadri 27 Kms. and 67 Kms., respectively, in the north, Pilani 70 Kms. in the north-west, Alwar 75 Kms. in the south-east and Jhunjhunu 80 Kms. in the west. It is an important town on account of the fact that it is an administrative headquarter of Distt. Mohindergarh and is a centre of local trade in agricultural produce and other commodities of daily use for the surrounding region. It is dominant in trade and commerce with service industry playing secondary role.

#### Existing physical features

The town is roughly bounded by Rewari-Nizampur Railway line in the south, Krishnawati Nadi in the east, Rewari-Narnaul-Singhana road in the north, Nizampur and Nangal Chaudhary road in the west. The main road, within the town is the road running from Niamri Naka Chowk to railway station along which civic offices and other important institutions are located.

From the point of view of the land use pattern, the town can roughly be divided into two parts, the northern and southern portion separated from each other by a seasonal rivulet known as Gulhi-Nadi which has practically no existence at present. The former area contains most of the Government offices and institutions with less residential density and the later mostly high density residential areas comprising the old town. Within the old town, there are number of old dilapidated structures and around the old town in general, the intensity of residential development gradually diminishes giving way to sparse development. In between the old town and railway line, the developments are more sparse.

On the other side of the Gulhi Nadi are located industrial training school for girls, Sainik Rest House, Services club in the east and Bus Stand & Government Offices in the west. The industrial training institute is located near the Niamri Naka Chowk on the west of Narnaul-Mahendergarh road. Industrial Estate is located on Nizampur road in the west of the town. The new hundred bed hospital is located west of the grain mandi. Further in the south of the so-called circular road lies the T.B. Hospital and Government Higher Secondary School. The commercial area of the town is concentrated mainly along internal roads of the town which are very narrow in width. The present trend of development is in the north mainly along Narnaul-Rewari, Narnaul-Mohindergarh and Narnaul-Singhana road where haphazard development is taking place in a linear manner.

The environs of the town studded with hills are very picturesque. The general slope of the land is from south-west to north-east. The soil in the environs is mostly sandy loam.

#### PROPOSALS

The population of the town, as per 1971 census, is 31,875 and it has been estimated as 80,000 by 2001. Draft Development Plan for Narnaul has evolved on the grid iron pattern giving rise to 12 sectors in all. Major area for the development have been chosen on the north and north-east of the existing town taking into account the present trend of development of the town along Narnaul-Rewari, Narnaul-Mahendergarh and Narnaul-Singhana road. Provision of proposed major land uses in the development plan of the controlled area is as follows:—

TABLE

Serial No.	Category of land use	Area within controlled area	
		In acres	In hectares
1	Residential	446.26	180.59
2	Commercial	107.52	43.51
3	Industrial	146.78	59.40
4	Transport and Communication	188.54	76.30
5	Public Utility	11.12	4.50
6	Public & Semi-Public Uses	183.63	74.31
7	Open spaces	62.57	25.32
8	Agricultural land	1,176.14	475.96
Total		2,322.56 Acres	939.89 Hectares

## 1. Residential Zone

It is estimated that the population of the town will rise to 80,000 by 2001. Out of this total population of 80,000 about 39,000 population will be accommodated in the controlled area whereas the remaining population will be accommodated in the existing town for which major road net-work has been shown diagrammatically in the plan although it has no legal sanctity as per provisions of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963. An area of about 446.26 acres (180.59 hectares) has been reserved for Residential purpose in the controlled area. This residential development will be in the form of residential neighbourhoods which will be self-contained in terms of local infrastructure in the form of school, health centres, local shopping etc. The density pattern has been proposed keeping in view the aesthetics, town-shape and the functional characteristics of the town. The newly proposed areas have been reserved for virtually better type of development by zoning it for medium density.

## 2. Commercial Zone

An area of 107.52 acres (43.51 hectares) has been proposed for commercial purposes in the controlled area. This will include Town Centre, Whole-sale Marketing and Warehousing facilities. This will also accommodate the business offices, restaurants, wholesale and retail shops and allied activities. Most of the existing commercial pockets in the controlled area have been amalgamated in the commercial provisions.

## 3. Industrial Zone

An area of about 146.78 acres (59.40 hectares) has been proposed for industrial development towards the east and west of the town. The industrial area towards east has been proposed keeping in view the wind direction and benefits of railway yards and sidings. In order to accommodate more industries on the west of Narnaul-Nizampur road, some areas have been earmarked along with the existing Industrial Estate. 30 metre wide green belt on the east and north of industrial area on the west of Narnaul-Nizampur road and 30 metre wide green belt along the proposed 20 metre wide road leading to Railway Station separating the residential areas from the industrial areas have been provided as a safeguard against industrial pollution.

## 4. Transport & Communication Zone

The circulation pattern has been conceived after taking note of the existing town, the new proposed development and the topographical features. An area of about 188.54 acres (76.30 hectares) has been proposed for this purpose. The proposed circulation pattern attempts to provide 200 ft. (60 metres) wide V-1 road in the newly proposed areas, 150 ft. wide (45 mtrs.) V-2 road separating sector No. 2 and 3 and 100 ft. (30 metres) V-3 road along sectors have been proposed. The provision of the roads within the new sector shall be made at the time of preparation of detailed sector plan. The road system is based on the grid iron pattern and it provides for the following type of roads with their land reservation as follows:-

1. V-1 (ring road)	60 metres width
2. V-1a V-1b V-1d V-1e	S.H. Width
3. V-1c	S.H. Width
4. V-2	45 metres
5. V-3	30 metres

## 5. Public utilities zone

An area of about 11.12 acres (4.50 hectares) has been proposed for utility and services in the form of power house.

## 6. Public & Semi-Public zone

There are three major institutions at present existing within the town viz., Govt. College, Civil Hospital and Industrial Training Institute covering a sizeable area. The total area proposed under public and semi-public zone will be 183.63 acres (74.31 hectares). This zone will also accommodate Govt. and Semi-Govt. offices in the form of Mini-Secretariat which has been proposed in Sector-2.

## 7. Open spaces

Narnaul town does not have any organized recreational facilities at present, except one tiny municipal park in triangular form. Taking note of the future recreational needs of town an area of about 62.57 acres (25.32 hectares) has been proposed for this purpose.

## 8. Agricultural land zone

Sizeable area has been reserved as agricultural land. This will, however, not eliminate the essential building development within this area, such as farm houses and the extension of existing village contiguous to Abadi-Dch, if undertaken as a project sponsored or approved by Govt. and other ancillary and allied facilities necessary for the maintenance and improvement of this area as agricultural land.

### Zoning Regulation

The legal sanctity to the proposals regarding land use is being given effect to by a set of zoning regulations which form part of this development plan. These regulations will govern the change of land use and standard of development. They also very elaborately detail-out allied and ancillary uses which will be permitted in various major land uses and stipulate that all development and change of use shall be in accordance with the details shown in the sector plans, thereby ensuring the preparation of detailed sector plan for each sector to guide the development and enforce proper control.

### ANNEXURE 'B'

Governing uses and development of land in the controlled area around I.T.I. Narnaul as shown in the drawing No. DTP (B. Garh)/59/81, dated 5th March, 1981.

*I. General.*—These regulations, forming part of the Development Plan for the controlled area, Narnaul shall be called "Zoning regulations" of the development for Narnaul controlled area.

The requirement of these regulations shall extend to the whole of the area covered by Development Plan and shall be in addition to the requirements of the Punjab Scheduled Roads and Controlled Areas Restrictions of Unregulated Development Act, 1963, and the Rules framed there under.

*II. Definitions.*—In these regulations:—

- (a) 'Approved' means approved under the rule.
- (b) 'Building Rules' mean rules contained in part VII of the Punjab Scheduled Roads & Controlled Areas Restrictions of Unregulated Development Rules, 1965.
- (c) 'Drawing' means drawing No. DTP (B. Garh)/59/81, dated 5th March, 1981.
- (d) 'Floor Area Ratio (FAR)' means the ratio expressed in percentage between the total floor area of the building on all floors and the total area of the site.
- (e) 'Group Housing' means housing in blocks without divisions into street and independent plots with necessary open spaces and sites for community facilities.
- (f) 'Light Industry' means industry not likely to cause injurious or obnoxious noise, smoke, gas, fumes, odours, dust, effluent, and any other nuisance to an excessive degree and motivated by electric power.
- (g) 'Local Service industry' means an industry, the manufacture and product of which is generally consumed within the local area, for example bakeries, Ice Cream manufacturing, aerated water, atta-chakkies with power, laundry-dry-cleaning and dyeing, repair and services of automobiles, scooters and cycles, repair of household utensils, shoes-making and repairing, fuel depots etc.
- (h) 'Material Date' means the 26th Oct., 1976 in respect of land within controlled area notified under section 4 of the Punjab Scheduled Roads and Controlled Area Restriction of Unregulated Development Act, 1963,—*vide* Haryana Govt. Gazette/Notification No. 4497-2TCP-76/ 34537 dated 15th October, 1976 appearing in Haryana Govt. Gazette of 26th October, 1976.
- (i) 'Medium Industry' means all industries other than light and local service industry and not emitting abnoxious or injurious fumes and odours.
- (j) 'Extensive Industry' means an industry set-up with the permission of the Govt. and is land extensive employing more than 100 workers and may use any kind of motive power or fuel provided they do not have any noxious features.
- (k) 'Heavy Industry' means an industry to be set-up in public or Semi-Public or Private sector with the permission of the Govt. if the cost of the machinery is more than one crore rupees.

- (l) 'Obnoxious or Hazardous Industry' means an industry set-up with the permission of the Govt. and is highly capital, intensive associated with such features as excessive smoke, noise, vibration stench, unpleasant or injurious fumes effluent explosives, inflammable materials etc. and other hazards to the health and safety of the community.
- (m) 'Non-conforming use' in respect of any land or building in a controlled area means the existing use of such land or building which is contrary to major land use specified for that part of the area in the Development Plan.
- (n) 'Public Utility Building' means any building required for running of public utility service, such as water supply, drainage, electricity, post & telegraph and transport and for any municipal services including a fire station.
- (o) 'Rule' means the Punjab Scheduled Road and Controlled Areas Restriction of Unregulated Development Rules, 1965 as amended upto date.
- (p) 'Sector density and colony density' shall mean the number of persons per acre in sector area, or colony area as the case may be.

**Explanation:**

(i) In the definition of the 'Sector area' or 'Colony area' shall mean the area of the sector or colony as bounded with the major road system shown in the drawing in the case of a sector and on the approved layout plan of the colony in the case of a colony including 50 per cent land under the major roads surrounding the sector and excluding the area unfit for building development within the sector or the colony as the case may be.

(ii) For the purposes of calculation of sector density or colony density, it shall be assumed that 50 per cent of the sector area or colony area will be available for residential plots including the area under group housing and that every building plot shall on the average contain two dwelling units each with a population of 4-5 persons per dwelling unit or 9 persons per building plot. In the case of shop-cum-residential plot, however, only one dwelling unit shall be assumed.

- (q) 'Site coverage' means the ratio, expressed in percentage between the area covered by the ground floor of a building and the area of the site.
- (r) The term 'Act', 'Colony', 'Development Plan', 'Sector' and 'Sector Plan' shall have the same meaning as assigned to them in the Punjab Scheduled Roads and Controlled Areas Restrictions of Unregulated Development Act, 1963, and
- (s) In case of doubt, any other term shall have the same meaning assigned to it in the Punjab Scheduled Roads and Controlled Areas Restrictions of Unregulated Development Act, 1963.

**(III) Major land-uses/zones**

For purposes of these regulations several parts of the Controlled area indicated on drawing shall be reserved for the following major land uses and to be designated as under :-

- (1) Residential zone.
- (2) Commercial zone.
- (3) Industrial zone
- (4) Transport and Communication zone.
- (5) Public Utility zone.
- (6) Public & Semi-Public zone.
- (7) Open spaces.
- (8) Agricultural land zone.

**(IV) Division into sectors**

Major land uses mentioned at Sr. No. 1 to 3 in regulation III above which are land uses mainly for building purposes, have been divided into sectors and each sector shall be designated by the number as indicated on the drawing.

**(V) Detailed land use within major uses**

Main, ancillary and allied uses, which subject to other requirements of these regulations and of the rules may be permitted in the respective major land uses/zones, are listed in appendix 'A' subjoined to these regulations.

**(VI) Sectors not ripe for development**

Notwithstanding the reservation of various sectors for respective land uses for building purposes, the Director may not permit any change in their land use or allow construction of building thereon, from considerations of compact and economical development of the controlled area till such time as availability of water supply, drainage arrangements and other facilities for these sectors are assured to his satisfaction.

**(VII) Sectors to be developed exclusively through Government Enterprise**

(1) Change of land use and development in Sector No. 1 shall be taken only and exclusively through the Government or a Government undertaking or a public authority approved by the Government in this behalf and no permission shall be given for development of any colony within this sector.

(2) Notwithstanding the provisions of clause (1) above the Government may reserve, at any time, any other sector for development exclusively by it or by the agencies mentioned above.

**(VIII) Land reservation of major roads**

(1) Land reservation of major roads shall be as under :-

- |   |                    |
|---|--------------------|
| (i) Major roads indicated as V-1 on the drawing (Ring Road)                         | .. 60 meters width |
| (ii) Other major roads indicated as V-1a (Narnaul-Mohindergarh)                     | .. S. H. width     |
| V-1b (Narnaul-Rewari)   | .. S. H. width     |
| V-1c (Narnaul-Nangal Chaudhary)   | .. S.H. width      |
| V-1d (Narnaul-Nizampur)   | .. S.H. width      |
| V-1e (Narnaul-Singhana)   | .. S.H. width      |
| (iii) Major roads indicated as V-2 on the drawing                                   | .. 45 meters       |
| (iv) Major roads indicated as V-3 on drawing (road along the boundaries of sectors) | .. 30 meters       |

(2) Width and alignment of other roads shall be as per sector plan or as per approved layout plan of colonies.

**(IX) Industrial non-conforming use**

With regard to existing industries shown in zones other than industrial zones in the Craft Development Plan, such industrial non-conforming uses shall be allowed to continue upto a period of 10 years provided that the owner of industry concerned :-

- (a) undertakes to pay to the Director, as determined by him, the proportionate charges towards the external development of the site as and when called upon by the Director to do in this behalf; and
- (b) during the interim period, makes satisfactory arrangements for the discharge of effluent to the satisfaction of the Director.

**(X) Discontinuance of non-conforming uses**

(1) If a non-conforming use of land has remained discontinued continuously for a period of two years or more, its use shall be deemed to have terminated and the land shall be allowed to be re-used or re-developed only according to the conforming use.

(2) If a non-conforming use of building is damaged to the extent of fifty per cent or more of its re-production value by fire, floods, explosion, earthquakes, war riot or any other natural calamity, it shall be allowed to be re-developed only for the conforming use.



**(XI) Relaxation of land use within agriculture zone**

In the case of any land lying in agriculture zone, Government may relax the provision of this development plan:

- (a) for use and development of land into a residential colony, provided the colonizer had purchased the land for the said use and development prior to the material date and colonizer secures permission as per rules ; and
- (b) for use of land as an individual industrial site (as distinct from an industrial colony) provided that :-
  - (i) the land was purchased prior to the material date.
  - (ii) the Government is satisfied that the need of the industry is such that it can not await alternative allotment in the proper zone.
  - (iii) the owner of the land secures permission for building as required under the rules ; and
  - (iv) the owner of the land undertakes to pay to the Director as determined by him, the proportionate charges towards the development of this land as and when called upon by Director in this behalf and during the interim period makes satisfactory arrangements for discharge of effluent.

*Explanation.* - The word 'purchase' in this regulation shall mean acquisition of full proprietary rights and no lesser title such as agreement to purchase, etc.

**(XII) Development to conform to sector and zoning plans**

No land within a major land use shall be allowed to be used and developed for building purposes unless the proposed use and development is according to the details indicated in the sector and zoning plans and or the approved layout plan of the colony in which the land is situated.

**(XIII) Density, size and distribution of plots**

(1) Every residential sector shall be developed to the sector density indicated and prescribed for it in the drawing subject to a maximum of 20% variation allowed on either side of the prescribed sector density.

(2) In the case of a residential colony allowed under regulation XI, the density of the colony area shall not exceed the limits as laid down below :—

For area upto 100 hectares	150 persons/hectare
For area larger than 100 hectares	112 persons/hectare

**(XIV) Individual sites to form part of an approved layout**

No permission for erection or re-erection of building on a plot shall be given unless :—

- (i) the plot forms a part of an approved colony, or the plot is such for which relaxation has been granted as provided in regulation XI above, and
- (ii) the plot is accessible through road, laid out and constructed upto the location of the plot to the satisfaction of the Director.

**(XV) Minimum size of the plots for various uses**

(1) The minimum sizes of the plots for various types of uses shall be as below : -

- (i) Residential plot ... 50 sq. mtr.
- (ii) Residential plots in subsidised industrial housing or slum dwellers housing schemes approved by the Government ... 35 sq. mtr.
- (iii) Shop-cum-residential plot ... 100 sq. mtr.
- (iv) Shopping booth including covered corridor of pavement in front ... 20 sq. mtr.
- (v) Service industry plot ... 200 sq. mtr.
- (vi) Light industry plot ... 200 sq. mtr.
- (vii) Medium industry plot ... 0.8 hectare

(2) The minimum area under a group housing estate shall be 0.4 hectare.

**(XVI) Site coverage and height of buildings in various uses**

Site coverage and height upto which buildings may be erected within independent residential and industrial plots shall be according to the provisions contained in Chapter-VII of the rules. In the case of other categories, the maximum site coverage and the floor area ratio shall be subject to architectural control as may be imposed under regulation-XVIII according to the table as given below :—

Type of use	Maximum coverage on ground floor	Maximum floor area ratio
(i) Group House	33-1/3 per cent	150 per cent
(ii) Government office	25 per cent (including parking and garages)	150 per cent
(iii) Commercial plots within commercial Zone	50 per cent (if air condition is not done)	150 per cent
	75 per cent (if air condition is done)	
(iv) Commercial plots within neighbourhood shopping centre	50 per cent	125 per cent
(v) Warehousing	75 per cent	150 per cent

**(XVII) Buildinglines in front, side and rear**

(1) Every building shall also conform to the building lines in front of the plots shown on the sector plan or on the layout plan of the approved colony.

(2) Where the building is on a corner plot, the building shall conform to the building lines shown on the side of the plot in the sector plan or the layout plan of the approved colony. In case of plots which are not corner plots and where no building line on the side of the plot is shown on the sector plan or on the layout plan of the approved colony side open space shall be provided as required under the rules.

(3) Space at the rear of every plot shall be governed by the provisions of the Rules.

**(XVIII) Architectural Control**

Every building shall conform to architectural control, wherever if any specified in the architectural control sheets prepared under rule 50.

**(XIX) Provision of farm houses outside abadi deh in agricultural zone**

A farm house in rural zone outside abadi deh of village may be allowed subject to the following conditions :—

(i) No farm houses shall be permitted within 1 K.M. of the urbanisation limit of any urban settlement as determined in the development/master plans.

(ii) Farm houses shall be permitted on the farms having not less than 2 hectares of area.

(iii) The plinth area limit for the farm house shall be as under :—

For land from 2 to 2.4 hectares 150 sq. mtrs.

For every additional 0.4 hectare (with maximum of 300 sq. mtrs.) 15 sq. mtrs.

(iv) It shall be constructed single storeyed and its height shall not exceed 5 metres.

(v) It shall be at least 15 metres away from the edge of the agricultural land on all sides : provided that, if land attached to the farm house abuts a road, the house shall be constructed with a maximum set back from the edge of the roads as under :—

(a) Where the road is bye-pass to a scheduled road 100 mtrs.

(b) Where the road is a scheduled road 30 mtrs.

(c) Any other road 15 mtrs.

**(XX) Relaxation of Development Plan**

Government may in cases of hardship or with a view to save any structure constructed before the material date, relax any of the provisions of the development plan on principle of equity and justice on payment of such development charges and on such conditions as it may deem fit to impose.

## APPENDIX 'A'

### I. Residential Zone

- (i) Residences
- (ii) Boarding Houses
- (iii) Social Community, Religious and recreational buildings
- (iv) Educational buildings and all types of schools and colleges where necessary
- (v) Public Utility buildings
- (vi) Health institutions
- (vii) Cinemas commercial and professional offices
- (viii) Retail shops and restaurants
- (ix) Local services industries
- (x) Petrol filling stations
- (xi) Nurseries and green houses
- (xii) Bus stops, tonga, taxi, scooter and Rickshaw stands
- (xiii) Any other minor need ancillary to residential use

As required for the local needs of major use and at sites earmarked for them in the sector plan or in the approved layout plans of the colonies

### II. Commercial Zone

- (i) Retail trade
- (ii) Wholesale trade
- (iii) Warehouses and storage
- (iv) Commercial offices and banks
- (v) Restaurants, Hotel and transient boarding houses including public assistance institutions providing residential accommodation like Dharmshala, tourist houses, etc.
- (vi) Cinemas and other places of public assembly like theatres, clubs, dramatic clubs etc. run on commercial basis
- (vii) Professional establishments
- (viii) Residence on the first and higher floors
- (ix) Local service industry
- (x) Petrol filling station and service garages
- (xi) Public utility buildings
- (xii) Loading and unloading yards
- (xiii) Parking spaces, bus stops, taxi, tonga and rickshaw stands
- (xiv) Town parks
- (xv) Any other use which the Director in public interest may decide

As per sites shown on the sector plan and zoning plan.

**III. Industrial Zone**

- (i) Service Industry
- (ii) Light industry
- (iii) Medium industry
- (iv) Warehouses, cold storages and other storage godowns
- (v) Public utility, community buildings and retail shops
- (vi) Parking loading and unloading area
- (vii) Truck stands, Bus stops, taxi, tonga and rickshaw stands
- (viii) Petrol filling stations and service garages
- (ix) Any other use permitted by the Director

As sites earmarked for them in the sector plan or in the approved layout plan of the colonies.

**IV. Transport and Communication Zone**

- (i) Railway yards, railway station and sidings
- (ii) Roads and Transport Depots and parking areas
- (iii) Telegraph offices, telephone lines and telephone exchanges
- (iv) Petrol filling stations and services garages
- (v) Parking spaces, bus-stops, shelter, taxi, tonga and rickshaw stands

As sites approved by the Director

**V. Public Utilities Zones**

- (i) Water Supply, installation including treatment plants
- (ii) Drainage and sanitary installations including disposal works
- (iii) Electric power plants, Sub-station etc. and staff quarters at approved sites.

**VI. Public and Semi-Public Zone**

- (i) Government offices, Government Administration Centres Secretariats, District Offices, Law Courts, Jails, Police-station, Governors And Presidents' residences.
- (ii) Educational, cultural and religious institutions.
- (iii) Medical and Health institutions.
- (iv) Civic, cultural and social institutions like theatres, opera houses etc. of a predominantly non-commercial nature.
- (v) Any other use which government in public interest may decide.

**VII. Open Spaces**

- (i) Sports grounds, stadia and playgrounds.
- (ii) Parks and Green belts.
- (iii) Cemeteries and cremation grounds etc.
- (iv) Any other recreational use with the permission of the Director.

**VIII. Agricultural Zone**

- (i) Agriculture, horticulture, dairy and poultry farming.
- (ii) Village house with abadi-deh
- (iii) Farm house outside abadi-deh subject to restrictions as laid down in the zoning regulations XIX
- (iv) Expansion of existing villages contiguous to Abadi-deh if undertaken under a project approved or sponsored by the Central or State Government
- (v) Milk chilling station and pasteurisation plants.
- (vi) Bus and railway stations
- (vii) Airports with necessary buildings
- (viii) Wireless stations
- (ix) Godowns/Storage spaces for agriculture in-puts and out-puts as approved by the Director
- (x) Weather station
- (xi) Land drainage and irrigation hydro-electric work and tubewell for irrigation.
- (xii) Telephone and electric transmission lines and poles.
- (xiii) Mining and extraction operations including lime and brick kilns, stone quarries crushing subject to the rules and at approved sites.
- (xiv) Cremation and burial grounds.
- (xv) Petrol filling stations and garage services.
- (xvi) Hydro-electric thermal sub-stations.
- (xvii) Any other use which Government may in public interest decide.

As approved by the Director

**NARNaul****CONTROLLED AREA (AROUND I.T.I.)  
EXISTING LAND USE PLAN**

000	VACANT	
010	PARTLY BUILT BUT UNOCCUPIED	
100	RESIDENTIAL	
200	COMMERCIAL	
210	RETAIL TRADE	
250	RESTAURANTS	
300	INDUSTRIAL	
400	TRANSPORT & COMMUNICATION	
420	ROADS & ROAD TRANSPORT DEPOTS AND PARKING AREA	
500	PUBLIC UTILITIES	
530	ELECTRIC POWER SUB STATIONS	
600	PUBLIC & SEMI PUBLIC	
610	MUN. SECRETARIAT, LAW COURTS, JAIL, POLICE STATION	
620	EDUCATIONAL, CULTURAL & RELIGIOUS INSTITUTIONS	
700	OPEN SPACES	
720	PARKS	
740	CEMETERIES, CREMATORIA ETC.	
800	AGRICULTURAL LAND	
810	MARKET GARDEN	
880	LAND UNDER WATER	
	CONTROLLED AREA BOUNDARY	
	OLD MPL BOUNDARY	
	EXTENDED MPL BOUNDARY	

NOTE - THE BOUNDARY OF CONTROLLED AREA IN THIS PLAN HAS BEEN SHOWN ACCORDING TO THE DRAWING NO RTP/MCA/622/75 OF 10.9.75 PUBLISHED WIDE HARYANA GOVT GAZET. NOT. NO 4497-2 JCP 20/545 37 DT. 15.10.76



DRAWING NO RTP/CA/707/76 DT 25.11.76

PLANNED BY: [Signature]

ASST. TOWN PLANNER: [Signature]

DIVISIONAL TOWN PLANNER: [Signature]

REGIONAL TOWN PLANNER: [Signature]

SENIOR TOWN PLANNER: [Signature]

[Signature]  
DIRECTOR

# ARNAU DRAFT DEVELOPMENT PLAN PROPOSED LAND USE (AROUND 1981)

210	RESIDENTIAL	
220	COMMERCIAL	
230	RETAIL TRADE	
240	WHOLESALE TRADE	
250	WAREHOUSES AND STORAGE	
260	OFFICES AND BANKS	
270	RESTAURANTS, HOTELS AND TRANSIENT BOARDING HOUSES (INCLUDING PUBLIC ASSISTANCE INSTITUTIONS PROVIDING RESIDENTIAL ACCOMMODATION LIKE DHARAMSHALA, TOURIST HOMES ETC.)	
280	CINEMA AND OTHER PLACES OF PUBLIC ASSEMBLY RUN ON A COMMERCIAL BASIS	
290	PROFESSIONAL ESTABLISHMENTS	
300	INDUSTRIAL	
310	TRANSPORT & COMMUNICATIONS	
320	RAILWAY YARDS, RAILWAY STATIONS & SIDINGS	
330	ROADS & ROAD TRANSPORT DEPOTS & PARKING AREAS	
340	PUBLIC UTILITIES	
350	ELECTRIC POWER SUB STATIONS, ETC.	
360	PUBLIC & SEMI PUBLIC	
370	GOVT. SECRETARIAT, LAW COURTS, JAIL, POLICE STATION	
380	EDUCATIONAL, CULTURAL & RELIGIOUS INSTITUTIONS	
390	MEDICAL & HEALTH INSTITUTIONS	
400	OPEN SPACES	
410	PARKS & GREEN BELT	
420	AGRICULTURAL LAND	
430	CONTROLLED AREA BOUNDARY	
440	OLD MUNICIPAL BOUNDARY	
450	EXTENDED MUNICIPAL BOUNDARY	
460	SECTOR NUMBER	
470	SECTOR DENSITY	



Scale: 0 100 200 300 400 500

DRAWING NO. D.T.P. (BG) 59/81 DT. 5-3-81

DRAWN BY

*SK. Wadhwa*

PLANNING ASSTT.

ASSTT. TOWN PLANNER

*P. Kumar*

DISTT. TOWN PLANNER

*Dr. Suman*

SENIOR TOWN PLANNER

*M. Singh*

DIRECTOR

DEPTT. OF T&C. PLG. HARYANA

